

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
MidFirst Bank



Order Filed on August 13, 2016  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Charlie Kears & Dorothy Kears,

Debtors.

Case No.: 15-16865-

Adv. No.:

Hearing Date: 6/28/2016 @ 9:00 a.m.

Judge:

**ORDER REINSTATING STAY AND CURING POST-PETITION ARREARS**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: August 13, 2016**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**(Page 2)**

Debtor: Charlie Kears & Dorothy Kears

Case No: 15-16865-KCF

Caption of Order: ORDER REINSTATING STAY AND CURING ARREARS

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 76 Runyon Avenue, Somerset, NJ 08873, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and, Alan G. Cosner, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 10, 2016, Debtors are in arrears outside of the Chapter 13 plan to Secured Creditor for payments due May 2016 through August 2016 (3 @ \$1,485.67, 1 @ \$1861.98; late charges 3 @ 59.42, 1 @ 74.47) for a total post-petition default of \$6,571.72;

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$6,571.72 will be paid over 7 months by Debtors remitting six payments of \$1,000.00 and one payment of \$571.72, in addition to the regular monthly mortgage payment, the sum of \$1,000.00, which additional payments shall begin on September 1, 2016 and continue until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume September 1, 2016, directly to Secured Creditor, MidFirst Bank, 999 North West Grand Boulevard, Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond and that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that automatic stay as to the subject property is hereby reinstated.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Charlie Kearse  
Dorothy Kearse  
Debtors

Case No. 15-16865-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Aug 15, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 17, 2016.

db/jdb +Charlie Kearse, Dorothy Kearse, 76 Runyon Avenue, Somerset, NJ 08873-2028

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 17, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 15, 2016 at the address(es) listed below:

Alan G. Cosner on behalf of Joint Debtor Dorothy Kearse cosner@cosnerlaw.com  
Alan G. Cosner on behalf of Debtor Charlie Kearse cosner@cosnerlaw.com  
Albert Russo docs@russotrustee.com  
Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com  
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor MidFirst Bank bankruptcynotice@zuckergoldberg.com,  
bkgroup@kmlawgroup.com  
John R. Morton, Jr. on behalf of Creditor Hyundai Capital America  
mortonlaw.bccraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com  
Joshua I. Goldman on behalf of Creditor MidFirst Bank jgoldman@kmlawgroup.com,  
bkgroup@kmlawgroup.com

TOTAL: 8